

**LOCAL PLANNING AGENCY**  
**NOVEMBER 13, 2002**

**1. ROLL CALL**

The meeting was called to order at 7:37 p.m. Board members present were Chair George Greb, Mimi Turin and Bob Waitkus. Also present were Town Attorney Monroe Kiar, Planner Marcie Nolan and Board Secretary Janet Gale recording the meeting. Vice-Chair Mike Bender and Casey Lee were absent.

**2. APPROVAL OF MINUTES:** October 9, 2002

Mr. Waitkus made a motion, seconded by Ms. Turin, to approve the minutes of October 9, 2002. In a voice vote, with Vice-Chair Bender and Ms. Lee being absent, all voted in favor. **(Motion carried 3-0)**

**3. PUBLIC HEARINGS**

*Land Development Code Amendments*

- 3.1 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING CODE AMENDMENT APPLICATION ZB(TXT) 02-2, AMENDING THE CODE OF ORDINANCES FOR THE TOWN OF DAVIE, SECTION 12-32, ENTITLED "TABLE OF PERMITTED USES"; REVISING THE CATEGORY OF RESIDENTIAL/OFFICE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Nolan explained the intent of the ordinance. In the discussion which followed, she clarified that parking requirements would be tied to the use of the property rather than the district. As Ms. Turin expressed a concern regarding "overflow" parking which occurred occasionally at funeral parlors and banks, Ms. Nolan clarified that there was a difference in the functions between a mortuary and a funeral parlor; however, she would check to confirm that services were not held at mortuaries. In discussing the bank's drive-thru issues and that "stacking" may negatively impact residences, Ms. Nolan assured that "stacking" concerns were addressed during the site plan process and that most sites would not have access on local roads.

Chair Greb asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Mr. Waitkus made a motion, seconded by Ms. Turin, to approve. In a roll call vote, the vote was as follows: Chair Greb - yes; Vice-Chair Bender - absent; Ms. Lee - absent; Ms. Turin - yes; Mr. Waitkus - yes. **(Motion carried 3-0)**

- 3.2 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, AMENDING SECTION 12-32(B), ENTITLED "TABLE OF PERMITTED USES"; PROVIDING FOR APPROPRIATE ZONING DISTRICTS FOR VEHICLE SALES AND RENTAL INCLUDING AUTOMOBILE SALES, AUTOMOBILE LEASING, MOTORCYCLE SHOPS AND MOVERS; AND AMENDING SECTION 12-32(C), ENTITLED "TABLE OF PERMITTED USES"; PROVIDING FOR APPROPRIATE ZONING DISTRICTS FOR VEHICLE SALES AND RENTAL INCLUDING AUTOMOBILE SALES, AUTOMOBILE LEASING, BOAT SALES, BOAT RENTAL, MOBILE

HOMES, MANUFACTURED HOUSING, RECREATIONAL VEHICLE SALES,  
HORSE TRAILER AND MOVING TRAILER RENTAL, MOVERS, AND TAXI

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SERVICE ESTABLISHMENTS; AND AMENDING SECTION 12-34 ENTITLED "STANDARDS ENUMERATED"; PROVIDING FOR REGULATIONS REGARDING THE SITING OF SUCH USES; AMENDING SECTION 12-503, ENTITLED "DEFINITIONS"; PROVIDING FOR A DEFINITION OF VEHICLE SALES AND RENTAL; PROVIDING FOR INTENT; PROVIDING FOR REGULATIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR AN EFFECTIVE DATE.

Ms. Nolan explained the intent of the ordinance. She provided historical information and systematically addressed the new regulations pertaining to where and when vehicle sales and rentals could occur. A lengthy discussion ensued and the following issues were addressed: hours of restriction; noise nuisance regarding motorcycle facilities; notification boundaries; defining truck and trailer size; minimum parcel size; distance of sites from residential sites; distance of loading/unloading sites from residential sites; eliminating motorcycle shops from B-3; and advertising tactics.

Chair Greb asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Mr. Waitkus made a motion, seconded by Ms. Turin, to approve subject to the amendments as follows as having been read by Ms. Nolan: vehicles not being elevated more than two feet and not being suspended by any means; the elimination of motorcycle shops from B-3; the limitation on trucks clearly stating two axels; that there be a 500-foot separation between vehicle dealerships and residential properties; that there be a minimum of 250 feet from loading/unloading docks to the property lines of a residential area; and to have the minimum acreage from three to five acres.

In a roll call vote, the vote was as follows: Chair Greb – yes; Vice-Chair Bender – absent; Ms. Lee – absent; Ms. Turin – yes; Mr. Waitkus – yes. **(Motion carried 3-0)**

#### 4. OLD BUSINESS

There was no old business discussed.

#### 5. NEW BUSINESS

Chair Greb asked that a motion be made to revisit item 3.2.

Mr. Waitkus so moved, seconded by Ms. Turin. In a voice vote, with Vice-Chair Bender and Ms. Lee being absent, all voted in favor. **(Motion carried 3-0)**

Chair Greb inquired if there was anything in the ordinance which addressed that there be a designated distance between vehicle dealerships. As only motorcycle facilities were addressed, a brief discussion ensued regarding this issue.

Ms. Turin made a motion, seconded by Mr. Waitkus, to reconsider the motion that was passed on item 3.2. In a voice vote, with Vice-Chair Bender and Ms. Lee being absent, all voted in favor. **(Motion carried 3-0)**

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Mr. Waitkus made a motion, seconded by Ms. Turin, to approve subject to the minimum acreage being changed from three to five acres; that no vehicle be elevated more than two feet or suspended by any means; that motorcycle shops be eliminated from the B-3 district; that there be a limitation on trucks' or trailers' sizes to two axels; that there be a 500-foot separation between vehicle sales and rentals or vehicle repair facilities, and residential properties; that there be a 250-foot distance separation from loading/unloading docks to the property line of a residential area; and that there be a minimum separation of 1,000 linear feet between vehicle sales and rental facilities.

**6 COMMENTS AND/OR SUGGESTIONS**

There were no comments and/or suggestions made.

**7. ADJOURNMENT**

As there was no further business and no objections, the meeting was adjourned at 8:56 p.m.

Date Approved: \_\_\_\_\_

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Chair/Agency Member